

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.04.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10049 of 2019

A.Selvaraj

..Petitioner

vs

1.The Managing Director,
Tamil Nadu Water Supply and
Drainage Board,
31, Kamarajar Salai,
Chepauk, Chennai - 600 005

2.The Tamil Nadu Water Supply
And Drainage Board,
Rep.by its Chairman,
31, Kamarajar Salai,
Chepauk, Chennai - 600 005

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st Respondent to consider the petitioner's representation dated 19.10.2018 on merits and in accordance with the law.

For Petitioner : Mr.G.P.Arivuchudar
for M/s.Law Square

O R D E R

The relief sought for in the present writ petition is for a direction to direct the 1st Respondent to consider the petitioner's representation dated 19.10.2018.

2.The grievance of the writ petitioner is that the respondents have invited the names of all eligible persons, who all are fit for promotion to the Post of Executive Engineer.

3.The learned counsel for the writ petitioner states that the writ petitioner is fully qualified and eligible for promotion to the Post of Executive Engineer. However, his name is not considered for inclusion in the panel prepared by the respondents.

4.The panel is yet to be finalized by the competent authorities. Thus, the approach of the writ petitioner before

this Court is premature. However, the authorities competent must ensure that while undertaking the process of preparation of panel, the names of all the eligible persons, who all are qualified and waiting for promotion is to be considered.

5.Promotion perse is not at all a right of an employee. However, consideration for promotion is a Fundamental right of an employee. Promotion itself can never be claimed as a matter of right. But, while preparing the panel of eligible persons, the authorities competent are bound to consider the names of all the eligible persons for inclusion of their names in the panel.

6.This being the procedures to be followed, this Court is of the considered opinion that the respondents must prepare the panel in accordance with the rules and by following the guidelines issued by the Government in this regard. If at all, the writ petitioner is eligible and qualified and standing in the seniority, his name also to be considered along with all other eligible persons, whose names are considered for inclusion in the panel for promotion to the Post of Executive Engineer.

7.With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1.The Managing Director,
Tamil Nadu Water Supply and
Drainage Board,
31, Kamarajar Salai,
Chepauk, Chennai - 600 005

2.The Chairman,
The Tamil Nadu Water Supply
And Drainage Board,
31, Kamarajar Salai,
Chepauk, Chennai - 600 005

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SS(CO)
SP(03/05/2019)